

OCT 10 2013

GRANT PRICE
CLERK, U.S. BANKRUPTCY COURT
WESTERN DISTRICT OF OKLAHOMA
BY: _____ DEPUTY

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2. Pursuant to Rule 2002 of the Federal Rules of Bankruptcy Procedure, the time allowed for response on a motion seeking modification of a confirmed Chapter 13

plan is 21 days. Based upon this response time, the multiple uncertainties regarding the federal shutdown, and the number of Chapter 13 debtors impacted by the shutdown, it may not be possible for all affected Chapter 13 debtors to obtain an order modifying their plan in sufficient time to allow them to provide for basic necessities. For this reason, the Court deems it necessary to provide an expedited process to address the issue.

3. To assist debtors affected by the federal shutdown, and counsel who represent such debtors, the Court has prepared a form motion to modify which may be filed through October 23, 2013 by debtors experiencing a loss of income as a result of the current lapse in appropriations. The form motion to modify may not be revised other than to fill in information required on the form, such as the debtor(s)' names, case number and attorney fee amount. The form motion to modify must be served on all parties in interest on the day it is filed. A copy of the form motion to modify is attached to this Miscellaneous Order. If a debtor elects to utilize the form motion to modify, the response time is shortened to seven (7) days, which includes the three (3) days allowed for mailing.

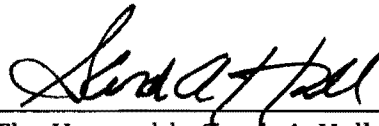
4. All other options available to debtors pursuant to the Bankruptcy Code with respect to modifications remain available to them. There is no requirement that the form motion to modify be utilized to address issues faced by debtors impacted by the federal shutdown. However, if the form motion to modify is not utilized, the response time remains 21 days, unless a separate application is filed seeking a reduction in the response time, and that application is approved.

5. The Court has also prepared a form order to be utilized in conjunction with the form motion to modify, if no objection to the form motion to modify is filed. At the

time the form motion to modify is filed, the filer must email the completed proposed form order to the Standing Chapter 13 Trustee at rhurst@chp13okc.com for review and approval, and must ensure that the order, once approved by the Trustee, is uploaded no later than noon on October 31, 2013. The form order may not be revised other than to fill in information required on the form and delete the portion of numbered paragraph three (3) inapplicable in the case. A copy of the form order is attached to this Miscellaneous Order.

6. If the federal shutdown extends beyond October 31, 2013, this Court will consider an extension of the authorized use of a form motion to modify.

IT IS SO ORDERED this 16th day of October, 2013.

A handwritten signature in black ink, appearing to read "Sarah A. Hall", written over a horizontal line.

The Honorable Sarah A. Hall, Chief Judge
United States Bankruptcy Court
Western District of Oklahoma

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA**

IN RE:

Debtor(s).

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**Case No. _____-NLJ
Chapter 13**

**MOTION TO MODIFY CHAPTER 13 PLAN AND
AWARD COMPENSATION TO COUNSEL FOR DEBTOR(S)
COMBINED WITH BRIEF IN SUPPORT OF MOTION
AND NOTICE OF OPPORTUNITY FOR HEARING
AND SHORTENED RESPONSE TIME**

NOTICE OF SHORTENED RESPONSE TIME

Please be advised that the time within which you may timely respond to this Motion to Modify has been shortened to 7 days in accordance with Miscellaneous Order No. 6 issued on or about October 10, 2013, a copy of which is available on the website maintained by this Court (www.okwb.uscourts.gov).

NOTICE OF OPPORTUNITY FOR HEARING

Your rights may be affected. You should read this document carefully and consult your attorney about your rights and the effect of this document. If you do not want the Court to grant the requested relief, or you wish to have your views considered, you must file a written response or objection to the requested relief with the Clerk of the United States Bankruptcy Court for the Western District of Oklahoma, 215 Dean A. McGee Avenue, Oklahoma City, OK 73102, no later than 7 days from the date of filing of this request for relief. You should also serve a file-stamped copy of your response or objection to the undersigned movant (and others who are required to be served) and file a certificate of service with the Court. If no response or objection is timely filed, the Court may grant the requested relief without a hearing or further notice.

The 7 day period includes the three (3) days allowed for mailing provided for in Bankruptcy Rule 9006(f).

**MOTION TO MODIFY COMBINED WITH REQUEST
FOR COMPENSATION AND BRIEF IN SUPPORT**

COME NOW the debtor(s), and pursuant to 11 U.S.C. §1329 request this Court modify the plan of the debtor(s). In support of this Motion, the debtor(s) would show the Court the following:

Eleven U.S.C. §1329 addresses the modification of a Chapter 13 plan after confirmation. Section 1329(a)(1) provides a plan may be modified to increase or reduce the amount of payments on claims of a particular class provided for by the plan. Section 1329(a)(2) provides a plan may be modified to extend or reduce the time for plan payments. The debtor(s) assert the federal shutdown has resulted in a loss of income making payment of the October, 2013 plan payment an impossibility or extreme hardship. The debtor(s) further assert the loss of income provides a sufficient basis for the modification of their confirmed plan. As a result, the debtor(s) request that their plan be modified as follows:

1. To treat the debtor(s) as current on plan payments through September, 2013;
2. To permanently suspend the October, 2013, plan payment;
3. To increase the plan payment beginning in November, 2013, if needed in order for the plan to remain feasible without reducing any guaranteed payment to creditors; and,
4. To award an attorney fee of \$_____ (fee may not exceed \$350) to counsel for the debtor(s) for services rendered in connection with this Motion.

WHEREFORE, the debtor(s), respectfully request this Court modify the plan as set forth above, and further order such other relief as the Court deems appropriate.

Respectfully submitted,

s/ _____
Attorney for Debtor:

Address: _____

Email address: _____

Phone Number / Fax Number: _____

CERTIFICATE OF MAILING

This is to certify that on the _____ day of October, 2013, a true and correct copy of the above and foregoing instrument was mailed, postage prepaid, to all parties and attorneys whose names and addresses are shown on the attached list.

s/ _____

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA**

IN RE:

Debtor(s).

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**Case No. _____-NLJ
Chapter 13**

ORDER MODIFYING PLAN AND AWARDING COMPENSATION

This matter comes on before this Court upon the Motion to Modify Chapter 13 Plan and Award Compensation filed by the debtor(s). Upon representation of counsel for the debtor(s), on October ____, 2013, the Motion was filed and served on all parties in interest pursuant to Miscellaneous Order No. 6 and Local Rule 9007-1, and the last date for filing responses was October ____, 2013, which passed with no objection thereto being filed and served. Therefore, the granting of the Motion is appropriate.

IT IS THEREFORE ORDERED ADJUDGED AND DECREED that the Motion to Modify Chapter 13 Plan and Award Compensation is granted and the case is hereby modified as follows:

1. The debtor(s) are treated as current on plan payments through September, 2013;

2. The October, 2013 plan payment is permanently suspended;
3. The debtor(s) shall recommence plan payments in November, 2013;

OR ALTERNATE PARAGRAPH 3 IF A PAYMENT INCREASE IS NEEDED IN ORDER
FOR THE PLAN TO REMAIN FEASIBLE:

The debtor(s) shall recommence plan payments in the increased amount of
\$_____ beginning in November, 2013; and,

4. Counsel for the debtor(s) is awarded an attorney fee of \$_____ for services
rendered in connection with this Motion.

IT IS SO ORDERED.

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APPROVED FOR ENTRY:

s/_____
Attorney for Debtor:

Address:

Email address:

Phone Number / Fax Number:

s/_____
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